

1 Hon. Christopher M. Alston  
2 Chapter 7  
3 Date of Hearing: April 20, 2018  
4 Time of Hearing: 9:30 a.m.  
5 Location of Hearing: United States  
Courthouse, 700 Stewart St.,  
Rm. 7206, Seattle, WA  
6 Response Date: April 13, 2018

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10 **UNITED STATES BANKRUPTCY COURT**

11 **WESTERN DISTRICT OF WASHINGTON**

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13 In re:

14 NORTHWEST TERRITORIAL MINT,  
LLC,

16 Debtor.

17 NO. 16-11767-CMA

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1 would circumvent the need for presenting of evidence and other due process concerns in  
2 favor of a compromise for convenience sake.  
3

4 Respondent seconds and hereby joins in the numerous objections voiced and  
5 explicated by United States Golf Association (“USGA”) in its objection to the instant  
6 motion, filed on April 11, 2018 and numbered document 1580 on the case docket.  
7 Specifically:

8 1. The timing of the motion is suspect. The hearing on the instant motion is  
9 set for exactly one week prior to the hearing on the Trustee’s motion to convert the case  
10 to chapter 7. The Trustee appears to be giving the Court one final opportunity to allow  
11 for some fruitful disposal of the dies before they would be discarded in chapter 7  
12 proceedings, by his own estimate.

13 This ultimatum is a false dichotomy. Although this trustee may be giving up on  
14 administering the dies, disposal of the dies is not the only alternative to granting the  
15 Trustee’s motion. The claimants’ ownership rights cannot be abruptly terminated in the  
16 name of convenience for the Trustee in administering the estate.

17 2. The proposed protocol is patently unfair and violates Due Process rights of  
18 parties claiming ownership of dies in question. The protocol, out of sake of convenience,  
19 essentially assumes that NWTM is the owner of all dies in question. The claimant must  
20 pay \$300.00 plus additional unspecified costs regardless of the merits of the claimant’s  
21 claim to ownership. It gives the claimant 60 days to pay this amount or forever lose any  
claim to ownership.

22 The protocol is certainly convenient, disposing of the need for otherwise-required  
23 adversary proceedings to determine ownership – even for the need for the Trustee to  
24 establish his own methods for determining ownership. But, this procedure clearly  
25 violates Federal Bankruptcy Rule 7001. *SLW Capital, LLC v. Mansaray-Ruffin (In re*  
*Mansaray-Ruffin)*, 530 F.3d 230 (3d Cir. 2008). And, as further pointed out in USGA’s  
26 objection, the Court recognized this requirement at the March 9<sup>th</sup> hearing. Yet, the  
27 Trustee tries for a similarly summary approach here.  
28

29 3. Respondent has evidence of ownership of the dies in question.

Respondent is not in a position to evaluate the Trustee’s claims to the effect that the vast  
Objection to the Trustee’s Motion to Approve  
Deadline to Assert Claims with respect to  
Ownership of Dies and Settlement Protocol to  
Resolve Claims to Ownership of Dies-2 of 3



THE LAW OFFICES OF LANCE L. LEE  
1001 Fourth Avenue, Suite 3200  
Seattle, WA 98154-1003  
(206) 332-9841 / Fax: (206) 905-2991

majority of the subject dies are clearly owned by NWTM. However, Respondent certainly took exception to claims made by the Trustee repeatedly at the aforementioned March 9<sup>th</sup> hearing that its ownership of dies associated with Respondent was clear. Respondent submits that NWTM's ownership is at best cloudy and has evidence to the contrary. As such, determination of ownership should not be made without opportunity to present evidence – or some form of meaningful due process.

Based on the Objection filed by USGA and the reasons outlined above, Respondent requests the Court to deny the Trustee's instant motion.

DATED this 13<sup>th</sup> day of April 2018

/s/ Lance L. Lee

Lance L. Lee, WSBA #26518  
Attorney for Respondent  
Nevada Northern Railway Fou

